

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**MICHAEL CALLAGHAN,**

**Plaintiff,**

**v.**

**Civil Action No. 2:12-3419**

**NATALIE E. TENNANT,  
in her official capacity as  
West Virginia Secretary of State;  
NATALIE E. TENNANT,  
GARY A. COLLIAS, WILLIAM N.  
RENZELLI, and ROBERT RUPP in  
their official capacities as members  
of the West Virginia State Election  
Commission,**

**Defendants.**

**MOTION TO INTERVENE**

Pursuant to Rules 24 (a) and (b) of the Federal Rules of Civil Procedure, Allen H. Loughry II moves to intervene as a defendant in the above-referenced matter. As grounds for this motion, Mr. Loughry states that he satisfies the requirements for intervention as of right under Fed. R. Civ. P. 24(a)(2), namely, that his motion is timely; that he has an interest in the subject of the Plaintiff's Complaint; that an unfavorable disposition would impair his ability to protect his interest; and that the Defendants may defend this matter in a manner inadequate to represent his interests. In the alternative, Mr. Loughry states that permissive intervention should be granted pursuant to Fed. R. Civ. P. 24(b)(2).

Pursuant to Rule 7.1 of the Local Rules of Procedure for the Southern District of West Virginia, attached hereto as *Exhibit 1* is a true and correct copy of the Complaint in this action.

Pursuant to Rule 24(c) of the Federal Rules of Civil Procedure, attached hereto as *Exhibit 2* is Mr. Loughry's proposed Answer and Affirmative Defenses.

Mr. Loughry also contemporaneously files his "Memorandum of Law in Support of Motion to Intervene."

Wherefore, Allen H. Loughry II prays that this Court grant his motion to intervene.

**ALLEN H. LOUGHRY II,**

/s/ Marc E. Williams

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**COUNSEL FOR INTERVENOR,  
ALLEN H. LOUGHRY II**